

REMARKS/ARGUMENTS

The final office action of April 22, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 5-8, 10-13 and 15-18 remain in this application. Claims 1-4, 9 and 14 have been canceled without prejudice or disclaimer.

Status of the Claims

The Office Action Summary states that claims 1-18 are pending in the application and that claims 1-4, 9 and 14 are withdrawn; however, claims 1-4, 9 and 14 were previously canceled in the January 9, 2003 Amendment.

Claim Rejections

Claims 5, 7, 10, 12, 15 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (Fig. 1; specification page 2, lines 18 - page 4, lines 5) ("Admitted Prior Art (Fig. 1)") in view of U.S. Patent no. 6,105,134 to Pinder et al. ("Pinder") and further in view of U.S. Patent no. 5,537,591 to Oka.

Claim 5, for example, provides a plurality of independently operated decoding units and a plurality of independently operated processing units. The operation command issuing unit issues a command responding to the request for the operation to a corresponding one of the plurality of independently operated decoding units if the current time is judged by said judging unit to be in the time period authorizing use of the encoded data according to the verified applicable time data, whereby selectively enabling one of the plurality of independently operated decoding units and one of the plurality of independently operated processing units to execute the requested operation. This structure is based on a concept of flexible set charges and access requirements for the contents of information (e.g., newspaper, magazines) that can change in value and in the mode of utilization with time (see page 5, lines 1-9).

This concept is noted on page 5, lines 11-17, as an object of the present invention: "to provide an access control method and an information utilization apparatus that are adapted to have flexibility in setting charges and access requirements for the contents of information that can change the value and the mode of utilization with time."

The admitted prior art is directed to a conventional system that is not adapted to the contents of newspapers and magazines whose values can change significantly with time. The contents of newspapers and magazines are valuable when they are delivered for the first time because they are new, but their value quickly changes as their nature is changed with time from being news to being records (see page 4, line 21 to page 5, line 1, of the instant specification).

The present invention is based on the recognition of and solution to processing timely information in, for example, news and magazines. This problem had not been considered by others of ordinary skill in the cited prior art when the invention was made.

As in the "admitted prior art," Pinder does not recognize the problem of changing values of material contents such as newspapers and magazines. Such values can change significantly with time. Since Pinder does not recognize the problem, it does not offer a solution.

Oka was introduced as showing a plurality of independently operated processing units (Fig. 1, elements 112, 114, 116 and 118) arranged respectively corresponding to the plurality of independently operated decoding units 106, 107, 108 and 109. Oka is directed to an automatic system diagram forming apparatus. Oka is unrelated to the instant claims and certainly does not recognize the problem of changing values of material contents such as newspapers and magazines. There is simply no reason one skilled in the art would have modified the "admitted prior art" based on Oka absent the hindsight afforded by the instant claims.

Thus, one skilled in the art would not have been motivated to modify the "admitted prior art" to provide independently operated decoding units/processing units to resolve the problem based on either Oka or Pinder.

Neither "admitted prior art," Pinder, or Oka, taken independently or together, teach independently operated decoding units/processing units to resolve the problem of changing values of material contents such as newspapers and magazines as recited in claims 5 and 7 or the related method step of claims 10 and 12 or the related storage medium having program code instructions of claims 15 and 17. Withdrawal of the instant rejection is requested.

Claims 6, 8, 11, 13, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art (Fig. 1) in view of Pinder.

Claim 6, for example, recites “an operation command issuing unit configured to issue a command responding to the request for the operation to said decoding unit and a corresponding one of the plurality of independently operated processing units if the current time is judged by said judging unit to be in the time period authorizing use of the encoded data according to the verified applicable time data and said plain data storage unit does not store the decoded data, and to issue a command responding to the request for the operation to the corresponding one of the plurality of independently operated processing units if the current time is judged by said judging unit to be in the time period authorizing use of the encoded data and said plain data storage unit stores the decoded data, whereby selectively enabling one of the plurality of independently operated processing units to execute the requested operation.” (emphasis added.)

As noted above, the admitted prior art is directed to a conventional system that is not adapted to the contents of newspapers and magazines whose values can change significantly with time. The present invention is directed to the recognition of and solution to the processing of timely information in, for example, news and magazines.

As discussed above, Pinder does not recognize the problem of changing values of material contents such as newspapers and magazines. Since Pinder does not recognize the problem, Pinder offers no solution. One skilled in the art would not have been motivated to modify the “admitted prior art” to provide independently operated processing units to resolve the problem based on Pinder. Modification of the “admitted prior art” could only be made by hindsight application of the instant claims.

Neither “admitted prior art” or Pinder, taken independently or together, teach independently operated processing units to resolve the problem of changing values of material contents such as newspapers and magazines as recited in claims 6 and 8 or the related method step of claims 11 and 13 or the related storage medium having program code instructions of claims 16 and 18. Withdrawal of the instant rejection is requested.

Appln. No.: 08/932,543
Amendment dated June 16, 2004
Reply to Office Action of April 22, 2004

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

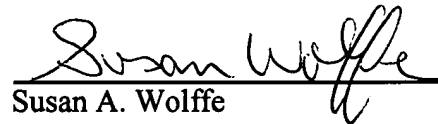
All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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